

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,
Government,

15 Cr 867 (RMB)

-against-

REZA ZARRAB,
Defendant(s).
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Richard M. Berman, U.S.D.J.:

ORDER

USDC SDNY	
DOCUMENT	
ELECTRONICALLY FILED	
DOC #:	
DATE FILED:	3/28/17

The Court will hold a conference on Tuesday, April 4, 2017 at 9:00 am. In advance of the conference, the parties are requested to submit briefs of no more than 12 pages double spaced setting forth legal authorities on the following issues:

1- Whether Messrs. Giuliani and Mukasey and/or their law firms have been retained by, or on behalf of, Reza Zarrab as legal counsel or in some other capacity;

2- If so, explain whether such engagement(s) in any way relate to and/or may impact the prosecution of Mr. Zarrab for the crimes alleged in the Indictment;

3- Whether Messrs. Giuliani or Mukasey intend to or are required to file notices of appearance in this case;

4- Whether the roles of Messrs. Giuliani and Mukasey are legally distinguishable (for purposes of filing notices of appearance) from the role(s) of the eight defense attorneys who currently have notices of appearance on file (or the eight other defense counsel who have withdrawn from the case after filing such notices) and, if so, how are they different;

5- Whether a Curcio hearing, as requested by the Government, should be held.

The Defense brief is due by noon on Thursday, March 30, 2017; the Government's response is due by 4:00 pm on Friday, March 31, 2017; and any Defense reply is due by 10:00

am on Monday, April 3, 2017. (The Defense is requested to file first as they would appear to be most knowledgeable about Messrs. Giuliani's and Mukasey's roles.)

In connection with these proceedings, the Court advises the parties of its prior relationships to Messrs. Giuliani and Mukasey which are as follows:

1- The Court served on Mr. Giuliani's Mayoral transition team (1993). The Court was appointed to the New York State Family Court by Mayor Giuliani in 1995;

2- The Court served as a colleague with Mr. Mukasey on the Southern District New York bench from 1998 to 2006.

These prior relationships do not, in the Court's view, affect its ability to continue to be fair and impartial in this matter.

Dated: New York, New York
March 28, 2017

A handwritten signature in black ink, appearing to read 'RMB', is positioned above the printed name of the judge.

Hon. Richard M. Berman, U.S.D.J.